

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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|-----------------------------|---|-------------------------------|
| SCANSOFT, INC.,             | ) |                               |
| Plaintiff,                  | ) |                               |
|                             | ) |                               |
| v.                          | ) | CIVIL ACTION NO. 04-10353-PBS |
|                             | ) |                               |
| VOICE SIGNAL TECHNOLOGIES,  | ) |                               |
| INC., LAURENCE S. GILLICK,  | ) |                               |
| ROBERT S. ROTH, JONATHAN P. | ) |                               |
| YAMRON, and MANFRED G.      | ) |                               |
| GRABHERR,                   | ) |                               |
| Defendants.                 | ) |                               |

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**ORDER**

January 20, 2006

Saris, U.S.D.J.

Without expert assistance, the court cannot evaluate Voice Signal's overwrought argument that production of the current source code is overbroad and overly burdensome. I disagree with VST that the current source code is not relevant. To jumpstart this stagnant discovery process, I order that all "first year documents" shall be produced forthwith so that the Expert may begin his task. The Expert shall then meet with the parties and determine what portions of the current source code are necessary for his evaluation of Scansoft's trade secret claims.

With regard to the second issue, Scansoft may use the litigation counsel who understands how to read source code on its team, but he/she is barred from any work for Scansoft on its prosecution of patents for two years. The lawyer may use the

information only for litigating this suit and anyone on the team to whom the information is transmitted is similarly barred from prosecuting patents for Scansoft for two years. An affidavit certifying compliance shall be filed.

/s/ Patti B. Saris

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United States District Judge